Remarks

1. Summary of Office Action

In the office action mailed February 21, 2008, the Examiner rejected claims 1-9, 13, 14, 15, 16, 18-21, 24-26, and 28-35 under 35 U.S.C. § 103(a) as being allegedly obvious over U.S. Patent Application Pub. No. 2002/0055916 (Jost) in view of U.S. Patent No. 7,210,098 (Sibal). In addition, the Examiner rejected claims 10 and 17 under 35 U.S.C. § 103(a) as being allegedly obvious over Jost in view of Sibal in view of U.S. Patent Application Pub. No. 2002/0077823 (Fox), the Examiner rejected claims 11, 22, and 36 under 35 U.S.C § 103(a) as being allegedly obvious over Jost in view of Sibal in view of U.S. Patent Application Pub. No. 2003/0084144 (Lipinski), and the Examiner rejected claims 12, 23, and 37 under 35 U.S.C. § 103(a) as being allegedly obvious over Jost in view of Sibal in view of Lipinski in view of U.S. Patent No. 4,874,963 (Alspector).

2. Status of the Claims

Applicant has cancelled claim 38. Now pending are claims 1-4, 8-23, 28, and 30-37, of which claims 1, 14, and 31 are independent and the remainder are dependent.

3. Response to the Rejections

As noted above, the Examiner rejected each of the independent claims 1, 14, and 31 as being allegedly obvious over Jost in view of Sibal. In so rejecting the claims, the Examiner appears to have admitted that Jost fails to teach the claim feature of the respective weights being stored in one or more attribute tags that are communicated between at least two of the one or more browser pages that are implemented with VoiceXML. The Examiner then turned to Sibal for a disclosure of passing information from one browser to another (e.g., passing information between an HTML browser and a VoiceXML browser). And the Examiner reasoned that Sibal's

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disclosure of passing information between browsers to synchronize state on the browsers would render obvious a modification of Jost's disclosure so as to convey respective weights in attribute tags between VoiceXML browser pages.

Although Sibal discloses passing information between browsers, Sibal does not disclose doing so between pages of a VoiceXML browser. The theory underlying Sibal's disclosure is to synchronize two disparate browser types, so as to offer a user synchronized experiences between the two browsers. For instance, Sibal teaches the possibility of synchronizing field inputs between voice and visual browsers so that a user can fill out different fields of a single form using a combination of both voice and visual/tactile mode.

Yet this underlying theory and Sibal's examples would not logically lead to conveying respective assigned weights from one voice browser page to another voice page, as recited in Applicant's claims.

First, the idea of synchronizing the state of a voice browser and a visual browser does not objectively suggest passing information between pages in one type of browser. Applicant's invention provides for conveying the assigned respective weights in attribute tags between voice browser pages in order to facilitate ultimately processing the assigned weights so as to determine an overall weight and make a routing decision. (See Applicants claims. See also the discussion in the first full paragraph on page 20 of Applicant's specification.) This is not a process of synchronizing any browser pages or browsers. Rather, it is a convenient propagation function, to facilitate ultimate determination of overall weight and to thereby facilitate call routing.

Further, although the Examiner asserted that Sibal teaches that tags storing information can be communicated "between at least two of the one or more browser pages," it is important to note that Applicant's claims define the one or more browser pages to be voice browser pages.

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Sibal's disclosure of conveying entered information between visual and voice browsers does not amount to the passing of information between voice browser pages. Still further, Sibal does not teach passing of assigned respective weights between browser pages.

Absent hindsight given the benefit of Applicant's patent application, one of ordinary skill in the art faced with the disclosures of Jost and Sibal would not be logically compelled to modify Jost so as to communicate assigned respective weights in attribute tags between voice browser pages as recited in Applicant's claims. Rather, the likely result of the combination would be that Jost's user interaction would be done with a combination of a voice browser and a visual browser, and a processor would maintain in data storage the ongoing scores for various machine operations in line with Jost's disclosure. There would, however, be no need or logical reason to convey the assigned respective weights in attribute tags between voice browser pages as recited in Applicant's claims, notwithstanding the fact that Sibal teaches conveying other types of information (such as user entered values) between browser pages for purposes of providing a user with a synchronized experience between browser types.

Because the invention recited in Applicant's independent claims would not reasonably or logically follow from the limited disclosure of the Jost and Sibal references, Applicant submits that *prima facie* obviousness of the invention over Jost and Sibal does not exist. Consequently, Applicant submits that the independent claims are allowable. Further, Applicant submits that the dependent claims are allowable for at least the reason that they each depend from one of the allowable independent claims.

Applicant does not acquiesce in any assertion by the Examiner not specifically addressed in this response.

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For the foregoing reasons, Applicant submits that all of the pending claims are allowable. Therefore, Applicant respectfully requests favorable action.

Should the Examiner wish to discuss this case with the undersigned, the Examiner is invited to call the undersigned at (312) 913-2141.

Respectfully submitted,

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